

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI**

**CRAIG A. MASSEY, ON BEHALF OF  
HIMSELF AND ON BEHALF OF ALL OTHERS  
SIMILARLY SITUATED,**

**PLAINTIFFS,**

**v.**

**SHELTER LIFE INSURANCE  
COMPANY,  
A MISSOURI INSURANCE COMPANY,  
  
DEFENDANT.**

**CLASS ACTION  
CASE No: 05-04106-CV-NKL**

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**CERTIFICATE OF SERVICE PURSUANT TO 28 U.S.C. §1715 *et seq.*  
NOTICE OF PROPOSED CLASS ACTION SETTLEMENT**

The undersigned certifies that on April 21, 2006, pursuant to 28 U.S.C. § 1715 *et seq.*, less than ten (10) days after the proposed settlement of this case was filed with the Court, copies of the following documents, were sent via DHL Express Overnight, in PDF format, and contained on a single CD, to the Attorney General of the United States and to the appropriate State officials that license or otherwise authorize Shelter Life Insurance Company to conduct business in each affected state:

1. Unopposed Motion of Plaintiff for Order Conditionally Certifying Settlement Class, Preliminarily Approving Class Action Settlement, Directing Distribution of Class Notice, Setting Hearing for Final Approval of Class Action Settlement and Appointing Class Counsel, including the following attachments: Class Action Settlement Agreement and Release; Proofs of Claim Forms; Class Notice; and Summary Class Notice. These documents detail class members' rights to request to be excluded from the class action. (CD, PDF Files 1-2.)

2. Complaint, Amended Complaint, and Second Amended Complaint, with attachments, in the “Pending Federal Action” filed April 6, 2005 and styled Craig Massey, on behalf of himself and on behalf of all others similarly situated v. Shelter Life Insurance Co., Case No. 05-4106-CV-NKL, pending in the United States District Court for the Western District of Missouri. (CD, PDF Files 3-7.)

3. Complaint in the “Initial Federal Action” filed September 29, 2000 and styled Craig Massey, on behalf of himself and on behalf of all others similarly situated v. Shelter Life Insurance Co., Case No. 00-4174-CV-C-5, originally filed in the United States District Court for the Western District of Missouri. (CD, PDF File 8.)

4. Petition in the “Missouri State Action” filed December 12, 2001 styled Craig A. Massey, Tina R. Mellies, Richard L. Torrance, and Jeanette Torrance v. Shelter Life Insurance Co., Case No. 01-CV-229955, pending in the Circuit Court of Jackson County, Missouri. (CD, PDF Files 9-11.)

5. Petition in the “Kansas State Action” filed in 2004 styled Tina Mellies, on behalf of herself and on behalf of all others similarly situated v. Shelter Life Insurance Co., Case No. 04C592, pending in the Third Judicial Circuit of Kansas, Shawnee County, Kansas at Topeka. (CD, PDF File 12.)

6. Pursuant to 28 U.S.C. §1715 (b)(7)(B), Defendant is required to provide estimates of the number of class members and estimated proportionate share of the claims. The most accurate data is from December 1997. Based upon that data, Defendant, after conferring with Plaintiffs’ counsel, provided each of the appropriate Federal and State Officials with a reasonable estimate of the number of class members residing in their State and the estimated proportionate share of the claims of such members to the entire settlement.

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ATTORNEYS FOR SHELTER LIFE  
INSURANCE COMPANY

### **Certificate of Service**

I hereby certify that on the 21<sup>st</sup> day of April 2006, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

Joseph A. Kronawitter  
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I hereby certify that on the 21<sup>st</sup> day of April 2006, the foregoing was mailed by DHL Express Overnight to the following non-participants in Electronic Case Filing:

Greg Hafif  
Law Offices of Herbert Hafif, APC  
269 West Bonita Avenue  
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          /s/          Jackie Smith